

Customer No.	026418		
Prepared from FORM PTO-1390	Transmittal Letter to the United States Designated/Elected Office (DO/EO/US)		Page 1
Attorney's Docket No.:	GK-ZEI-3286 / 500343.20307		
U.S. Application No.:	10/551,685	Confirmation No.	5541
International Application No.:	PCT/EP2004/003089		
International Filing Date:	MARCH 24, 2004	24 MARCH 2004	
Priority Date Claimed:	APRIL 02, 2003	03 APRIL 2003	
Title of Invention:	ILLUMINATING AND IRRADIATING UNIT FOR OPHTHALMIC INSTRUMENTS		
Applicant(s) for (DO/EO/US):	Egon LUTHER, Ingo KOSCHMIEDER, Jan BUCHHEISTER and Falk MOEHR		

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

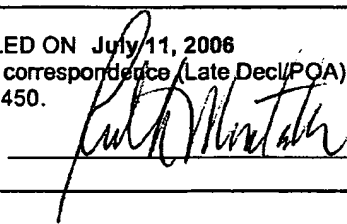
- ☐ 1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
- ☒ 2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
- ☐ 3. This express request to begin national examination procedures [35 U.S.C. 371 (f)]. The submission must include items (5), (6), (9), and (21) indicated below.
- ☐ 4. The US has been elected (Article 31).
- ☐ 5. A copy of the International Application as filed [35 U.S.C. 371(c)(2)]
 - a) ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b) ☐ has been communicated by the International Bureau.
 - c) ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
- ☐ 6. An English language translation of the International Application as filed [35 U.S.C. 371(c)(2)]
 - a) ☐ is attached hereto
 - b) ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
- ☐ 7. Amendments to the claims of the International Application under PCT Article 19 [35 U.S.C. 371(c)(3)]
 - a) ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b) ☐ have been communicated by the international Bureau.
 - c) ☐ have not been made; however, the time limit for making such amendments has **NOT** expired.
 - d) ☐ have not been made and will not be made
- ☐ 8. An English language translation of the amendments to the claims under PCT Article 19 [35 U.S.C. 371(c)(3)]
- ☒ 9. An **EXECUTED** Oath or declaration of the inventor(s) [35 U.S.C. 371(c)(4)]
- ☐ 10. An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 [35 U.S.C. 371(c)(5)]

Items 11. to 20. Below concern other document(s) or information included:

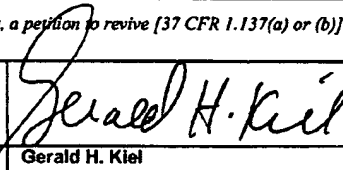
- ☐ 11. An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98
- ☐ 12. An Assignment document for recording. A separate cover sheet (PTO-1595) in compliance with 37 CFR 3.28 and 3.31 is included.
- ☐ 13. A preliminary amendment
- ☐ 14. An Application Data Sheet under 37 CFR 1.76
- ☐ 15. A substitute specification with abstract (attached to the preliminary amendment)
- ☐ 16. A change of power of attorney and/or address letter
- ☐ 17. A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825.
- ☐ 18. A second copy of the published International Application under 35 U.S.C. 154 (d)(4).
- ☐ 19. A second copy of the English language translation of the International Application under 35 U.S.C. 154 (d)(4).
- ☒ 20. (other items or information) **371 Formalities letter dated May 25, 2006**

ELECTRONICALLY FILED ON July 11, 2006

I hereby certify that this correspondence (Late Decl/POA) is being electronically filed with the Patent and Trademark in Alexandria, VA 22313 1450.



/Ruth Montalvo Date: July 11, 2006

U.S. Application No. (if known, see 37 C.F.R. 1.50): 10/551,685		page 2	
International Application No.: PCT/EP2000/003089		Attorney's Docket No: GK-ZEI-3286 / 500343.20307	
The following fees are submitted:		Applicant use	Office use only
[] 21 Basic national fee (37 CFR 1.492(a)) \$ 300.00			
[] 22 Examination fee (37 CFR 1.492(b)) If the written opinion prepared by ISA/US or the International Preliminary Examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Articles 33(1)-(4) \$ 0.00 All other situations \$200.00			
[] 23 Search fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the International Preliminary Examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Articles 33(1)-(4) \$ 0.00 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority \$100.00 International Searching Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by IB \$400.00 All other situations \$500.00			
TOTAL OF ABOVE CALCULATIONS:			
[] Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (b) or computer program listing filed in an electronic medium) 37 CFR 1.492(j). The fee is \$250.00 for each additional 50 sheets of paper or fraction thereof.			
Total sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	Rate
- 100 =	/50 =		X \$250.00
Surcharge of \$ 130.00 for furnishing the oath or declaration later than 30 month from the earliest claimed priority date (37 CFR 1.492(e))			
Claims	Number Filed	Number Extra	Rate
Total Claims:	13	- 20	0 X \$ 50.00
Independent Claims:	1	- 3	0 X \$ 200.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$ 360.00
TOTAL OF ABOVE CALCULATIONS:			
Surcharge of \$130.00 for furnishing the oath or declaration later than [] 20 [X] 30 months from the earliest claimed priority date [37 CFR 1.492(e)]		+	\$130.00
TOTAL OF ABOVE CALCULATIONS:			\$130.00
[] Applicant claims Small Entity Status [See 37 CFR 1.27] Reduction by 1/2 for filing by small entity		-	
SUBTOTAL:			\$130.00
Processing fee of \$130.00 for furnishing the English Translation later than [] 20 [] 30 months from the earliest claimed priority date [37 CFR 1.492(f)]		+	
TOTAL NATIONAL FEE:			\$130.00
Fee for recording the enclosed assignment [37 CFR 1.21(h)] The assignment must be accompanied by an appropriate cover sheet (PTO-1595) [37 CFR 3.28, 3.31]. \$ 40.00 per property		+	\$
TOTAL FEE(S):			\$130.00
AMOUNT TO BE REFUNDED			\$
AMOUNT TO BE CHARGED			\$
<i>(Please note the filing fee is based on the claims in the Preliminary Amendment)</i>			
a) [] Check in the amount of \$.00 to cover the above fees is enclosed.			
b) [X] Please charge my Deposit Account No 50-1529 in the amount of \$ 130.00 to cover the fee..			
c) [X] The Commissioner is hereby authorized to charge any additional fees required with this submission or to credit any overpayment to Deposit Account No: 50-1529.)			
d) [] Fee are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.			
NOTE: Where an appropriate time limit under 36 CFR 1.494 or 1.495 has not been met, a petition to revive [37 CFR 1.137(a) or (b)] must be filed and granted to restore the application to pending status.			
SEND ALL CORRESPONDENCE TO: Gerald H. Kiel, Esq. Reed Smith LLP (Customer No. 026418) 599 Lexington Avenue New York, NY 10022-7650		Signature:  Attorney: Gerald H. Kiel Reg. No. 25,116 Date: July 11, 2008	



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/551,685	Egon Luther	GK-ZEI-3286/500343.20307

26418
REED SMITH, LLP
ATTN: PATENT RECORDS DEPARTMENT
599 LEXINGTON AVENUE, 29TH FLOOR
NEW YORK, NY 10022-7650

INTERNATIONAL APPLICATION NO.	
PCT/EP04/03089	
I.A. FILING DATE	PRIORITY DATE
03/24/2004	04/02/2003

CONFIRMATION NO. 5541
371 FORMALITIES LETTER



OC000000018939258

Date Mailed: 05/25/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 09/30/2005
- Copy of the International Search Report filed on 09/30/2005
- Preliminary Amendments filed on 09/30/2005
- Information Disclosure Statements filed on 09/30/2005
- Oath or Declaration filed on 09/30/2005
- U.S. Basic National Fees filed on 09/30/2005
- Priority Documents filed on 09/30/2005
- Non-English Language Application filed on 09/30/2005
- Specification filed on 09/30/2005
- Claims filed on 09/30/2005
- Abstracts filed on 09/30/2005

DOCKET

*The July 25, 2006 Expedited Oath or Declaration
Due July 25, 2006 Deadline*

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PAULETTE R KIDWELL

Telephone: (703) 308-9140 EXT 216

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/551,685	PCT/EP04/03089	GK-ZEI-3286/500343.20307